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REMARKS

Claims 1-14 were originally presented in the subject application. No claims have herein been amended, added or canceled. Therefore, claims 1-14 remain in this case.

Applicants respectfully request reconsideration and withdrawal of the grounds of rejection.

35 U.S.C. §102 Rejection

The Office Action rejected claims 1-12 under 35 U.S.C. §102(b), as allegedly anticipated by Molloy (U.S. Patent No. 4,045,921). Applicants respectfully, but most strenuously, traverse this rejection.

With respect to the anticipation rejection, it is well settled that a claimed invention is not anticipated unless a single prior art reference discloses: (1) all the same elements of the claimed invention; (2) found in the same situation as the claimed invention; (3) united in the same way as the claimed invention; (4) in order to perform the identical function of the claimed invention. In this instance, Applicants submit that Hasebe et al. fails to disclose at least one element of each of the independent claims and as a result does not anticipate, or even render obvious, applicants' invention.

Claim 1 recites, for example, sending a request from a decoding controller on the first data processing apparatus to a second data processing apparatus to determine attributes of a decoding process for accessing the encoded data.

Against the above-noted aspect of claim 1, the Office Action cites to Hasebe et al. at column 7, line 48, as well as FIGs. 3 and 7a. However, the cited section of Hasebe et al. describes the vendor setup of the storage medium prior to transfer to the user. In Hasebe et al., the storage medium with encrypted software thereon is sold to the user, and the user's computer need not communicate with the vendor's computer (or any other computer) during

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decryption and accessing of the software. See, for example, column 8, lines 39-57 of Hasebe et al.

Thus, Applicants submit that Hasebe et al. fails to disclose, teach or suggest the above-noted aspect of claim 1. Further, since Hasebe et al. fails to disclose, teach or suggest the claimed request to the second data processing apparatus, Applicants submit that Hasebe et al. also cannot disclose, teach or suggest doing anything in response to such a request, let alone receiving determined attributes as claimed.

Therefore, Applicants submit that claim 1 cannot be anticipated by, or made obvious over Hasebe et al.

Independent claims 10-12 contain limitations similar to those argued above with respect to claim 1. Thus, Applicants submit that the remarks made above with respect to claim 1 also apply to claims 10-12. Therefore, Applicants submit that claims 10-12 also cannot be anticipated by, or made obvious over Hasebe et al.

Applicants submit that the rejected dependent claims are allowable for the same reasons as the independent claims from which they directly or ultimately depend, as well as for their additional limitations.

For example, claim 4 recites that the determined attributes of a decoding process include identifiers of one or more of: a cryptor used in encryption and required for decryption, a compressor used in compression and required for decompression, and an authenticator for requestor authentication.

Against claim 4, the Office Action cites to Hasebe et al. at column 1, lines 46 and 47. However, the cited section of Hasebe et al. merely discloses encrypting a decrypting key. As set forth in the present specification at page 16, lines 17 and 18, a cryptor is an encryption method/type, and not what the encryption is based on. Since "cryptor" does not have a commonly understood meaning (the Examiner is invited to search for a dictionary meaning),

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one looks to the specification for clarity. Moreover, Hasebe et al. fails to disclose, teach or suggest a compressor or an authenticator.

Therefore, Applicants submit that claim 4 cannot be anticipated by, or made obvious over Hasebe et al.

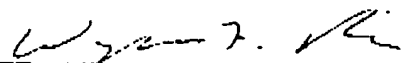
CONCLUSION

Applicants submit that the dependent claims not specifically addressed herein are allowable for the same reasons as the independent claims from which they directly or ultimately depend, as well as for their additional limitations.

For all the above reasons, Applicants maintain that the claims of the subject application define patentable subject matter and earnestly request allowance of claims 1-14.

If a telephone conference would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

Respectfully submitted,



Wayne F. Reinke
Attorney for Applicants
Registration No.: 36,650

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HESLIN ROTHENBERG FARLEY & MESITI P.C.
5 Columbia Circle
Albany, New York 12203-5160
Telephone: (518) 452-5600
Facsimile: (518) 452-5579